

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, November 15, 2012

10:00 AM

Board Room.

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Mariyana T. Spyropoulos, seconded by Patricia Horton, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Kathleen Therese Meany, seconded by Frank Avila to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 10:45 a.m. President O'Brien reconvened the regular board meeting to order

Procurement Committee

Report

- 1 [12-1515](#) Report of bid opening of Tuesday, October 30, 2012

 Published and Filed
- 2 [12-1540](#) Report on rejection of bids for Contract 12-368-2S, Upper Des Plaines Intercepting Sewer 20C Rehabilitation, North Service Area, estimated cost \$1,280,000.00

 Published and Filed
- 3 [12-1541](#) Report on rejection of bids for Contract 02-111-3M, TARP Pump #8 Rehabilitation, Main Stream Pumping Station, estimated cost \$2,500,000.00

 Published and Filed

Authorization

- 4 [12-1537](#) Authorization to revise the Contract Change Order Policy for Capital Improvement Construction Projects *(As Revised)*

Attachments: [Change Order Limits Memo.pdf](#)

Approved

Authority to Advertise

- 5 [12-1517](#) Authority to advertise Contract 13-722-21 Furnish and Deliver a 4160/480 Liquid-Filled Transformer to the Egan Water Reclamation Plant, estimated cost \$48,300.00, Account 201-50000-645650, Requisition 1349949

Approved

- 6 [12-1518](#) Authority to advertise Contract 13-670-11 Outfitting of Debris and Pontoon Boats at Various Service Areas, estimated cost \$160,000.00, Account 101-66000-612790, Requisition 1348756

Approved

- 7 [12-1519](#) Authority to advertise Contract 13-847-11 Truck Hauling of Liquid Sludge from the Lemont Water Reclamation Plant, estimated cost \$300,000.00, Account 101-68000-612520, Requisition 1349253

Approved

- 8 [12-1520](#) Authority to advertise for public tender of bids a 5-year lease on 2.5 acres of District real estate located at 15680 Canal Bank Road in Lemont, Illinois; part of Main Channel Parcel 23.10. The minimum initial rental bid shall be established at \$32,500.00, Contract 12-374-11

Attachments: [11-15-12 LaBarge.pdf](#)

Approved

- 9 [12-1526](#) Authority to advertise Contract 13-859-11 Agricultural Management at Fulton County, Illinois, estimated cost \$1,662,000.00, Account 101-68000-612420, Requisition 1346878

Approved

- 10 [12-1528](#) Authority to advertise Contract 13-012-11 Furnish and Deliver Paint, Brushes, Solvents and Stains to Various Locations for a One (1) Year Period, estimated cost \$48,500.00, Account 101-20000-623190

Approved

- 11 [12-1530](#) Authority to advertise Contract 13-903-21, Furnish & Deliver Replacement Sump Pump Controls to the Main Stream Pumping Station, estimated cost \$175,000.00, Account 201-69000-623070, Requisition 1351222

Deleted by the Executive Director

Issue Purchase Order

- 12 [12-1538](#) Issue purchase order and enter into an agreement with Bruker Daltonics Inc., for a Preventive Maintenance Agreement and Consumable Parts and Supplies for Varian Gas Chromatographs and Autosamplers, in an amount not to exceed \$17,790.80, Accounts 101-16000-612970 and 101-16000-623570, Requisition 1350857
Approved
- 13 [12-1539](#) Issue purchase order and enter into an agreement with Thermo Labsystems, Inc., for Renewal Licenses and Software Upgrades for the Laboratory Information Management System, in an amount not to exceed \$204,620.02, Account 101-16000-612820, Requisition 1349946
Approved
- 14 [12-1544](#) Issue purchase order for Contract 12-196-1P, Furnish, Deliver and Install One Digital Wide Format Reprographic System with Three Year Maintenance Service, to American Reprographics Co., LLC, d/b/a ARC Imaging Resources, in an amount not to exceed \$39,910.00, Accounts 101-50000-612990, 634990, Requisition 1342910
Approved
- 15 [12-1545](#) Issue purchase order to Lexington Lion Chicago GP LLC, for maintenance and operation of the common areas of the 101 and 111 East Erie Street Buildings for the year 2013, in an amount not to exceed \$90,000.00, Account 101-15000-612390, Requisition 1351595
Approved
- 16 [12-1546](#) Issue purchase order and enter into an agreement with Pitney Bowes Inc., for Supplies, Maintenance, and Repairs of Mail Room Equipment, in an amount not to exceed \$13,300.00, Accounts 101-15000-612330, 612800, 623520, Requisition 1351654
Approved

Award Contract

- 17 [12-1514](#) Authority to award Contract 12-709-21, Rebuild Raw Sewage Pump Rotating Assemblies at the Egan Water Reclamation Plant, to Pumping Solutions, Inc., for an amount not to exceed \$123,129.00, Account 201-50000-645750, Requisition 1342561
Approved

Increase Purchase Order/Change Order

- 18 [12-1516](#) Authority to decrease Contract 09-636-11, Furnish and Deliver Hydrogen Peroxide and Maintain a Hydrogen Peroxide Injection System at the Stickney Water Reclamation Plant, to SWT Municipal Services, Business Div. of Siemens Water Technology Corp., in an amount of \$25,428.70, from an amount of \$173,770.80 to an amount not to exceed \$148,342.10, Account 101-69000-623560, Purchase Order 5000985

Attachments: [09-636-11 PO 5000985 Change Order Log as of 11-01-2012.pdf](#)

Approved

- 19 [12-1533](#) Authority to increase Contract 10-185-3E Pump and Blower Medium Voltage Switchgear Replacement at Stickney WRP, to Divane Brothers Electric Company in an amount of \$30,659.00, from an amount of \$5,928,415.00, to an amount not to exceed \$5,959,074.00, Accounts 401-50000-645650 and 645680, Purchase Order 5001300

Attachments: [CO 10-185-3E.PDF](#)

Approved

- 20 [12-1535](#) Authority to decrease Contract 04-294-3M Calumet TARP Valve Isolation and Pump Station Upgrade, to Kenny Construction Company in an amount of \$823,743.58, from an amount of \$60,955,552.36, to an amount not to exceed \$60,131,808.78, Account 401-50000-645600, Purchase Order 5000309

Attachments: [CO 04-294-3M.pdf](#)

Approved

- 21 [12-1536](#) Authority to decrease Contract 03-122-3S Upper Des Plaines Intercepting Sewer 12 & 13B Rehabilitation, Stickney Service Area, to Insituform Technologies USA, Inc in an amount of \$69,377.24, from an amount of \$1,158,503.70, to an amount not to exceed \$1,089,126.46, Account 401-50000-645600, Purchase Order 5001101

Attachments: [CO 03-122-3S.pdf](#)

Approved

- 22 [12-1542](#) Authority to increase purchase order and exercise an option to extend agreement for one year, for Contract 12-RFP-02 State Legislative Liaison Consulting Services, with Kevin J. Fitzpatrick, in an amount not to exceed \$102,000.00, Account 101-15000-601170, Purchase Order 3071068

Approved

- 23 [12-1543](#) Authority to increase purchase order and exercise an option to extend agreement for one year, for Contract 12-RFP-01 Perform Federal Legislative Consulting Services, with Carmen Group, Inc., in an amount not to exceed \$417,600.00, Account 101-15000-601170, Purchase Order 3071591
- Approved

Budget & Employment Committee

Authorization

- 24 [12-1513](#) Authority to transfer 2012 departmental appropriations in the amount of \$144,800.00 in the Corporate Fund
- Attachments: [11.15.12 Board Transfer BF5.pdf](#)
- Deleted by the Executive Director

Engineering Committee

Report

- 25 [12-1512](#) Report on change orders authorized and approved by the Director of Engineering during the month of October 2012
- Attachments: [CO October.pdf](#)
 [CO Status.pdf](#)
- Published and Filed

Maintenance & Operations Committee

Authorization

- 26 [12-1529](#) Authorization to enter into an Intergovernmental Agreement with the Public Building Commission of Chicago for the purpose of conducting an energy audit of all buildings and participate in the Multi-Agency Guaranteed Energy Performance Contracting Program
- Approved

Real Estate Development Committee

Authorization

- 27 [12-1510](#) Authority to issue a 2-month permit extension to Albany Auto Sales to continue to access, use, and maintain a boat dock on approximately 2,009 square feet of District real estate located along the North Branch of the Chicago River adjacent to 4030 North Rockwell Street in Chicago. Consideration shall be \$2,500.00

Attachments: [11-15-12 Albany Auto Sales.pdf](#)

Approved

- 28 [12-1521](#) Authority to issue a two (2) month permit extension to the Wilmette Harbor Association to continue to occupy approximately 0.69 acres of District real estate known as North Shore Channel Parcels 1.02, 1.03 and 1.04, plus the Wilmette Harbor in Wilmette, Illinois. Consideration shall be \$ 11,167.00

Attachments: [11-15-12 Wilmette Harbor Association.pdf](#)

Approved

- 29 [12-1523](#) Authority to issue a 5-year permit to the Romeoville Fire Department to use Main Channel Parcel 15.05 to launch boats during fire/rescue emergencies and routine training operations. Consideration shall be a nominal fee of 10.00

Attachments: [11-15-12 Romeoville Fire Department.pdf](#)

Approved

- 30 [12-1532](#) Authority to issue a 46-day permit to the Worth Lions Club for use of approximately one acre of District real estate located within Cal-Sag Channel Parcel 9.03, east of Harlem Avenue and south of 116th Street in Worth, Illinois and leased to the Village of Worth for its annual Christmas tree sale and fundraising event from November 15, 2012, through December 31, 2012. Consideration shall be a nominal fee of \$10.00

Attachments: [11-15-12 Worth Lions Club.pdf](#)

Approved

Additional Agenda Items

- 31 [O12-003](#) Adopt Ordinance No. O12-003, Amendments to Affirmative Action Ordinance Revised Appendix D (As Revised)

Attachments: [2012 Revised Appendix D Ordinance V7-1 with 11 14 12 Errata Revisions \(F AAO AAP D REV TRANSMITTAL LETTER REV F 11.15.12.pdf](#)

A motion was made by Debra Shore, seconded by Patricia Horton, that this Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 32 [R12-008](#) Adopt Ordinance No. R12-008 Establishing the Right-of-Way for the Construction, Operation and Maintenance of Flood Control Project for Upper Salt Creek , Contract 10-884-AF, in parts of Sections 14 and 23, Township 35 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois
- Attachments:** [R12-008 ORDINANCE.pdf](#)
 [R12-008 Project SCAH-50 Contract 10-884-AF.pdf](#)
 [R12-008 Upper Salt Creek BD LTR.pdf](#)
- A motion was made by Frank Avila, seconded by Barbara J. McGowan, that this Right of Way Ordinance be Adopted. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- 33 [12-1552](#) Authority to enter into a 39-year lease with the Chicago Park District on 1.87 acres of District real estate located at Devon Avenue and McCormick Boulevard in Chicago; North Shore Channel Parcel 8.06 for parking and possible park expansion purposes. Consideration shall be an annual rental of \$78,000.00 (*Deferred from November 1, 2012 Board Meeting*)
- Attachments:** [11-15-12 Chicago Park District.pdf](#)
 [11-15-12 North Shore Channel Parcel 8.06.pdf](#)
- Deleted by the Executive Director*
- A motion was made by Cynthia M. Santos, seconded by Patricia Horton, authorizing the Executive Director to delete this item. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- 34 [12-1553](#) Consent to assignment of lease from Recycling Systems, Inc. to Lakeshore Recycling Systems, LLC on 6.79 acres of District real estate located at 3152 South California Avenue in Chicago, Illinois; Main Channel Parcels 42.08 and 42.12. Consideration shall be a \$2,500.00 document preparation fee "ADOPTED. REFER TO FILE ID #12-1553A"
- Attachments:** [11-15-12 RSI.pdf](#)
- Michael A. Alvarez lifted his earlier deferral*
- A motion was made by Patricia Horton, seconded by Kathleen Therese Meany, that this Agenda Item be Approved. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 35 [12-1554](#) RESOLUTION sponsored by the Board of Commissioners recognizing President Terrence J. O'Brien's twenty-four years of service to the Metropolitan Water Reclamation District and congratulating him on his well-earned retirement
- A motion was made by Kathleen Therese Meany, seconded by Board of Commissioners, that this Resolution be Adopted. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 36 [12-1555](#) Authority to increase Contract 07-163-3M (Re-Bid) R&D Building HVAC Improvements, Stickney Water Reclamation Plant, to Path-Milhouse Joint Venture in an amount of \$228,082.43, from an amount of \$8,925,959.32, to an amount not to exceed \$9,154,041.75, and to enter into a settlement agreement for mutual termination of Contract 07-163-3M, Accounts 401-50000-645680 and 645780, Purchase Order 5001056
- Attachments:** [CO 07-163-3M.PDF](#)

Approved

- 37 [12-1556](#) Correction of estimated short-term cost of proposed reclassification plan
- Approved**

Approval of the Consent Agenda with the exception of Items: 11, 24, 31, 32, 33, 34, 35 and 38

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 38 [12-1558](#) MOTION to confirm that in order for Commissioners of the Metropolitan Water Reclamation District of Greater Chicago to be eligible for retiree health care coverage, Commissioners must have at least six years of service as a Commissioner for the District at time of retirement to be eligible for coverage under a District-sponsored health plan.
- A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Terrence J. O'Brien

Present: 1 - Mariyana T. Spyropoulos

39 [12-1553A](#)

MOTION with respect to Agenda Item #34, File ID #12-1553, Regarding Board Policy for Real Estate Transactions

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Meeting Summary

Speakers

Richard Golf, Recycling Systems, addressed the Board regarding the bid appraisal (Re: Real Estate Item #34)

Patricia Horton, accepted a resolution on her 6 years of service to the District and congratulating her on her retirement

President Terrence J. O'Brien accepted a resolution on his 24 years of service to the District and congratulating him on his well earned retirement (Re:Miscellaneous and New Business Item #35)

George Blakemore, concern citizen, voiced concerns regarding (Re: Miscellaneous and New Business Item #31)

Ken Kirk, Executive Director of NACWA; Jorge Ramirez, Chicago Federation of Labor; Tom Villanova, Chicago Building Trades; Tim Healy, Local 7 Fireman and Oilers; Gloria Alitto Majewski, Retired Commissioner; and Gerald R. Bennett, Mayor of Palos Hills congratulated President Terrence J. O'Brien on his 24 years of service to the District (Re:Miscellaneous and New Business Item #35)

[A12-004](#)

Attachments: [Office of the Mayor of Palos Hills](#)

Summary of Requests

None

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for December 6, 2012 please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: November 23, 2012

Date agenda items are due to the Executive Director for signature and preparation: November 26, 2012

Date all agenda items are due to the Executive Director: 1:00 p.m., November 28, 2012

Adjournment

A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that when the Board adjourns it adjourns to meet on Thursday, December 6, 2012 at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this November 15, 2012, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

November 15, 2012